



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF)

JEFFREY A. HERMAN et al.)

Serial No. 09/848,951)

Filed: May 3, 2001)

For: METHOD AND APPARATUS FOR)
ANALYZING DATA)

Examiner: Unassigned

Group Art Unit: 2131

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please consider the following amendments and remarks.

Applicant hereby submits the attached claim pages 18 - 24 as replacement to claim page 18 of the original application as required under 37 CFR 1.121(c)(1)(i). Applicant further submits a marked-up copy of said claim pages as required under 37 CFR 1.121(c)(1)(ii).



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
HERMAN et al.

Application No.: 09/848,951

Filed: May 3, 2001

For: METHOD AND APPARATUS FOR ANALYZING
DATA

Attorney Docket No.: SUNMP055C2

Examiner: Kendall, Chuck O.

Group Art Unit: 2122

Date: May 3, 2004

☒ Duplicate for
fee processing

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
United States Postal Service as First Class Mail to: Commissioner
for Patents, Alexandria, VA 22313-1450 on May 3, 2004.

Signed: _____

Sylvia Castillo

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MAY 07 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

Technology Center 2100

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
TOTAL CLAIMS	27 -	27	0	X09 = \$	OR	X18 = \$
INDEP CLAIMS	03 -	03	0	X43 = \$	OR	X86 = \$
[] Multiple Dependent Claim Present and Fee Not Previously Paid				\$145		\$290

TOTAL

\$ _____

\$0

- ☐ Applicant(s) hereby petition for a _____ month(s) extension of time to respond to the outstanding Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805.
- ☐ Enclosed is our Check No. _____ in the amount of \$ _____ to cover the additional claim fee and/or extension of time fees.
- ☒ If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP055C2). A copy of this sheet is enclosed.

Respectfully submitted,
MARTINE & PENILLA, LLP

Jaya Nair
Jaya Nair, Esq.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 126.00

Complete if Known

Application Number 09/848,951
Filing Date May 3, 2001
First Named Inventor JEFFREY A. HERMAN
Examiner Name UNASSIGNED
Group Art Unit 2131
Attorney Docket No. 83000.946C2/P2867C2

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MAY 07 2004

Technology Center 2100

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$) ---

2. EXTRA CLAIM FEES

Total Claims 27
Independent Claims 3
Multiple Dependent Claims
Extra Claims Fee from below Fee Paid
-20** = 7 X 18.00 = 126.00
-3** = --- X --- = ---

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims over original patent

110 18 210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 126.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) ---

SUBMITTED BY

Name (Print/Type) Cynthia A. Casby

Registration No. (Attorney/Agent)

47,475

Complete (if applicable)

Telephone (310) 286-0377

Signature

Date

January 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.